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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/292,834	04/16/1999	KOJI MORIGUCHI	P99.0653	4060
29175	7590	12/11/2003	EXAMINER	
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			HENDRICKSON, STUART L	
			ART UNIT	PAPER NUMBER
			1754	

DATE MAILED: 12/11/2003

28

Please find below and/or attached an Office communication concerning this application or proceeding.

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clo 28

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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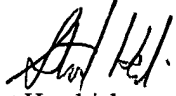
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The amendment to claim 12 is considered to be non-responsive because it recites limitations placing the claims into a different statutory class. Initially, the battery structure was nominal, but limitations such as 'coated on the collector' changes it to a battery claim, for class 429. Such a claim would have been restricted had it been presented originally. It is noted that applicant may admit that the language added represents old and known features- and that the patentability of claim 12 resides in the initial graphite material limitations previously in the claims, in which case the holding of non-responsiveness will be withdrawn.

Any inquiry concerning this communication should be directed to examiner Hendrickson at telephone number (517) 272-1351.


Stuart Hendrickson
examiner Art Unit 1754